

In re Appln. of: John Mansbridge
Appln. No.: 09/494,053
Attorney docket: 724-X00-003

REMARKS

Previous claims 10 to 23 were rejected by the Examiner over applicant's admitted prior art and Kozma et al USP 4063226 (Kozma) on the basis that the admitted prior art shows a method and apparatus of a data filter having means to input an rf signal, etc., and that Kozma ostensibly discloses identifying at least one data signal and forwarding to a multiplexer. It is respectfully submitted that the Kozma reference is truly non-analogous art and not combinable with the prior art discussed at the preamble of the specification.

Kozma is directed to a wideband holographic information storage system that records Fourier holograms on film in rapid succession, each hologram storing 128 bits of data. The hologram fringe pattern is held stationary by varying the reference beam frequency to track the variations of frequency of the signal beam that are caused by acoustic-optic modulation of the signal beam. Holograms are successively recorded in adjacent positions by scanning a light beam across a photosensitive film with a rotating polygonal mirror, the recording light beam being wide enough to cover two facets of the mirror so as to achieve nearly 100% scanning duty cycle. During readout, a readout light beam is steered to compensate for prismatic deflection effects caused by variations in thickness of the film. The direction of the output beam is maintained constant despite a scanning motion of the incident readout beam, by reflecting the output beam a second time from a different facet of the polygonal mirror to compensate the rotational component of beam motion. Clocking of output data is self-synchronized, based upon modulation signals. Acoustically caused defocusing of the light beam is optically corrected. Methods are employed to reduce crosstalk.

The sole object and teaching of the Kozma reference is to record the holograms and then to retrieve them; this art has nothing to do with data filters, and the attempt to take bits and parts of Kozma and shoe-horn them into the prior art discussed at the beginning of the specification has no basis in the art. There is nothing in the art that

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would suggest to a man of ordinary skill in the art of data filters to look at the art of holographic information storage system to derive teachings that would be combinable with the known prior art to derive the present invention as now claimed. In short, there is no **motivation** to combine the disclosure of Kozma with the prior art discussed at the beginning of the specification; the arts are completely dichotomous; there is no recognition of the problem solved by the invention, nor any suggestion that the combination of the prior art and Kozma would result in a solution to the problem solved by the present invention, namely, to be able to use the entire bandwidth of the multiplexing unit for an identified signal instead of only the pro-rata share based on the total number of processed signals, and the particular implementation of the apparatus and method. What the Examiner has done is use hindsight based on applicant's apparatus and method solution to the problem in the field of data filters, and this is not allowed to determine obviousness. In fact, the purported combination of Kozma with the prior art at the beginning of the specification still would not yield the apparatus and method as now claimed for the present invention. What the combination of Kozma and the prior art at the beginning of the specification produces is an unworkable hodge-podge that merely demonstrates the non-obviousness of the claimed apparatus and method.

In an effort to precise the invention of the present application, the new apparatus claims 24 to 31 and method claims 32 to 35 directed to a data filtering apparatus for an rf signal have been carefully and thoughtfully formulated in Jepson format in order to be able to distinguish between those parts of the combinations recited that are known in the prior art (as recited in the beginning of the specification) and those improvements, i.e. parts of the combinations that lend the essential novelty. As can be seen in claim 23, the essential novelty is lent by the recitations (a) to (e) which set forth that a parallel path is established to the path leading from the photodiode array to the multiplexer unit. This parallel path contains a processing unit that effects the identification of at least one data signal conforming to predetermined criteria, a digital logic unit, in response thereto, to transmit an identifying and selective processing signal to control the multiplexing unit.

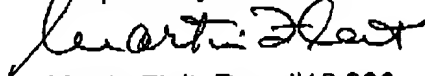
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An output data bus couples the processing unit to the multiplexing unit whereby the control is imposed on the multiplexing unit for the purpose stated. None of these recitations of claim 24 are evident from or even hinted at in the Kozma reference, which as already noted is directed to non-analogous art. The un-natural combination of Kozma and the prior art discussed at the beginning of the specification still would not contain the claimed parallel path, parallel to the path from photodiode array to multiplexer, for the obvious reason that Kozma is only interested in recovering the data with respect to the holograms recorded on the film and not in controlling the operation of the multiplexer. The method claims 32 to 35 distinguish in like manner.

A sincere effort has been made to draft the new claims so that they clearly set forth the invention and distinguish over the prior art. In light of the foregoing remarks, this application should be in condition for allowance, and early passage of this case to issue is respectfully requested. If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

Also enclosed is a two-month Petition for Extension of Time. Please charge the required fee (or credit any overpayments of fees) to the Deposit Account of the undersigned, Account No. 500601 (Docket no. 724-X00-003).

Respectfully submitted,



Martin Fleit, Reg. #16,900

Enclosures

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